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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,778	02/28/2005	Bruno Bozionek	2002P10504WOUS	8327

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Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

KANGARLOO, RAMTIN

ART UNIT	PAPER NUMBER
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2419

MAIL DATE	DELIVERY MODE
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11/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/525,778	Applicant(s) BOZIOONEK ET AL.	
	Examiner RAMTIN KANGARLOO	Art Unit 2419	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 and 26-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-25 and 30-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/28/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/15/2008 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 13-19, 21, 23-25 and 30-32 are rejected under 35 U.S.C. 102 (b) as being anticipated by Mayeul (European Patent Application No EP0926909A2 as cited by applicant).

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Regarding **claim 13**, Mayeul discloses a method for forwarding a signaling message of the type used to establish a communication connection between devices (Fig.4, 10, 40, 30) present in two or more communication networks (fig.4, networks between nodes 11, 22, 41, 31) wherein communication between different devices in different networks may require conversion (See col.4, lines 49-54 conversion) between signaling connection protocols in order to establish the connection comprising: generating a first signaling message from a first device (fig.3, 10) according to a first protocol and comprising instructions for setting up a connection between the first signaling device and a second signaling device in a different network (See col.7, lines 24-34); providing a network access device

(i) capable of receiving and processing signaling messages of multiple different protocols, including the first protocol (In fig.9 node 23 receive different protocols messages from nodes 31 and 21, see col. 11, lines 17-34), and

(ii) capable of forwarding the first signaling message without performing conversion of the signaling message to an internal signaling protocol of the network access device (See col.13, lines 11-13) and

(iii) capable of forwarding the first signaling message without conversion to a different one of the multiple protocols (See col.13, lines 11-13) and

(iv) capable of converting the first signaling message to a different one of the multiple protocols before forwarding (See col.13, lines 4-11);

connecting the first and second networks (See Fig 4, Users 10 and 30) via the network

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access device; (See Fig.4, User 40); transferring the signaling message from the first device to the network access device (See Col.4, Lines35-38); determining if the first signal protocol and a second signaling protocol (See col.2, lines 55-57 and col. 1, lines 30-32) supported by the second device are the same protocol, the determination made by the network access device and based on a target datum in the first signaling message (See Col.4, Lines40-49); if the protocols are not the same then converting the signaling message into the second signaling protocol (information element is in the different format), transferring the converted signaling message to the second device (Fig.4, user 30) by tunneling the message through the third network (See Col.5, Lines 10-22 and fig.4, node22); and if the protocols are the same (information element is in same format) then transferring the signaling message to the second device (Fig.4, user 30) by tunneling the message through the third network without performing conversion of the signaling message to any internal signaling protocol of the network access device (See Col.5, lines 17-22 and fig.4 node 22).

Regarding **Claim 14**, mayeul discloses the method according to claim 13, wherein protocol conversion is handled by the network access device and wherein transferring the signaling message from the first device to the network access device is effected by tunneling the message through a third network.(See Col.4, Lines 33-55).

Regarding **Claim 15**, mayeul discloses the method according to claim 13, wherein the network access device performs functions of a telecommunication device, which serves for a switching of a connection for a transfer of voice data in a private data transfer network (see Page. 13, Fig 5).

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Regarding **Claim 16**, mayeul discloses the method according to claim 13, wherein the network access device switches a connection that transfers voice data in a private data transfer network (see Page. 13, Fig 5).

Regarding **Claim 17**, mayeul discloses the method according to claim 16, wherein a data transfer network functions according to the Internet protocol (See Col.1, Lines 36-43).

Regarding **Claim 18**, mayeul discloses the method according to claim 13, wherein the network access device performs a network access function for a plurality of terminal devices of a local data network (See Col.1, Lines 32-34).

Regarding **Claim 19**, mayeul discloses the method according to claim 13, wherein the network access device performs a network access function for a central device of a plurality of local data transfer networks, and the central device perform services for a plurality of terminal devices of a data transfer network (See Col.3, Lines 55-58 and Col 4, Lines 1-2).

Regarding **Claim 21**, mayeul discloses the method according to claim 13, further comprising: reading the target datum with an access function that reads target data of various signaling protocols; and determining the first signaling protocol of the received signaling message (See Col.5, Lines 11-22).

Regarding **Claim 23**, mayeul discloses the method according to claim 13, further comprising: storing the first message in the protocol in a storage device; and deciding if a protocol conversion is required after the storage step (See Col.8, Lines 50-56).

Regarding **Claim 24**, mayeul discloses the method according to claim 13, wherein the signaling message relates to a transfer of voice data and/or to the performance of additional service features for the transfer of voice data (See Col.7, Lines 44-49).

Regarding **Claim 25**, mayeul discloses the method according to claim 24, wherein the transfer of voice data is in an operating data packet (See Col.11, Lines 49-51).

Regarding **Claim 30**, mayeul discloses a network access device for forwarding a signaling message from a first device in a first device in a first network to a second device in a second network (See Fig 4, Users 10 and 30), comprising: a control device for evaluating the signaling message and determining the second terminal device; a compare device that compares a first signaling protocol of the signaling message received from the first device and a second signaling protocol supported by the second device; and a transfer device that transfers the signaling message to the second device (See Col.4, Lines 33-55).

said network access device configured to establish a connection between the first and second devices by

(i) receiving and processing signaling messages of multiple different protocols, including the first and second protocols (In fig.9 node 23 receive different protocols messages from nodes 31 and 21, see col. 11, lines 17-34), while

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(ii) capable of forwarding the signaling message from the first device without performing conversion of the signaling message to an internal signaling protocol of the network access device (See col.13, lines 11-13) and

(iii) capable of forwarding the first signaling message without conversion to a different one of the multiple protocols (See col.13, lines 11-13) and

(iv) capable of converting the first signaling message to the second protocol if the second protocol is supported by the second device before forwarding to the second device(See col.13, lines 4-11) .

Regarding **Claim 31**, mayeul discloses the network access device according to claim 30, further comprising an interface that accesses a storage device, the storage device comprising an association between a terminal device and a server as well as an association between a protocol and the server (See Col.8, Lines 47-58).

Regarding **Claim 32**, mayeul discloses the network access device according to claim 30, further comprising a conversion device that converts the signaling message embodied according to the first signaling protocol to the second signaling message protocol (See Col.8, Lines 13-22).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayeul in view Xu (US Patent No 6738390).

Regarding **Claim 20**, Mayeul disclose all of the limitations as applied to claim 13. Mayeul does not specifically disclose multiple different signaling protocols include ones selected from the group consisting of SIP, H.323, QSIG, SIP based, H.323 based, QSIG based, and combinations thereof. Xu teaches multiple different signaling protocols include ones selected from the group consisting of SIP, H.323, QSIG, SIP based, H.323 based, QSIG based, and combinations thereof (See Col.1, Lines 9-12 and Lines 66-67 and Col.2, Lines 1-15).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to mount SIP, H.323 taught by Xu onto the network system as shown in Mayeul, to protocol conversion in order to achieve reliable voice portal services over IP.

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Regarding **Claim 22**, Mayeul and Xu disclose all of the limitations as applied to claim 20. Further, Mayeul disclose no protocol conversion is required if the first and second signaling protocols are in a same protocol family (See Col.5, Lines 20-22).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMTIN KANGARLOO whose telephone number is (571)270-3452. The examiner can normally be reached on Mon to Fri 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chirag Shah can be reached on (571) 272- 3144. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/RAMTIN KANGARLOO/

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Examiner, Art Unit 2419

November 3, 2008

/Chirag G Shah/

Supervisory Patent Examiner, Art Unit 2419